



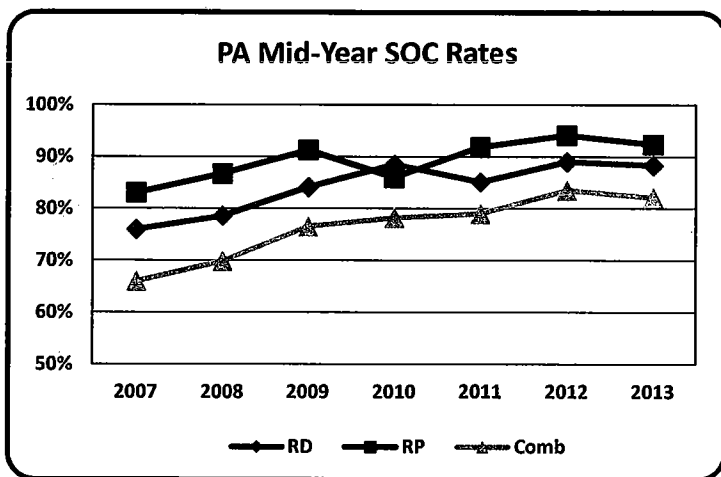
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JUL 03 2013

Mr. George Hartenstein, Director
Bureau of Environmental Cleanup and Brownfields
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street, 14th Floor
Harrisburg, Pennsylvania 17105-8471

Dear Mr. Hartenstein:

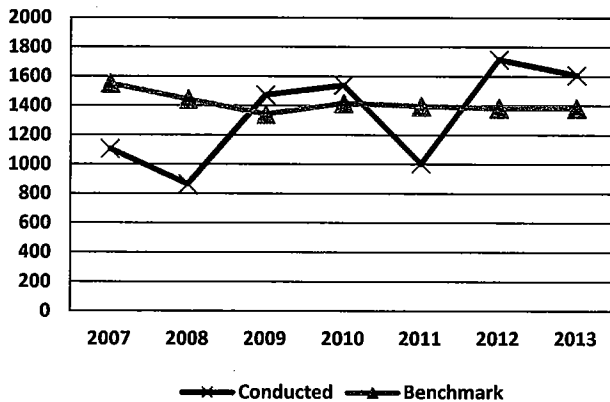
On Wednesday, May 8, 2013, the Environmental Protection Agency (EPA) Region III conducted the FY13 mid-year review of the Pennsylvania Department of Environmental Protection (PADEP), RCRA Subtitle "I" Underground Storage Tank (UST) and Leaking Underground Storage Tank (LUST) programs. Your staff had the opportunity to review this letter and to offer comments.



EPA commends PADEP on its strong performance in the UST and LUST programs during the first half of FY13. In the UST program, PADEP continues to achieve high compliance rates. EPA is not concerned with the slight decline in compliance rates at mid-year because PADEP's compliance rates have increased steadily over the last six years. PADEP achieved Significant Operational Compliance rates of 88.4% for Release Detection (RD),

92.4% percent for Release Prevention (RP), and 82.2% for the Combined Release Detection/Prevention rate (CR). Again, EPA commends PADEP for its rigorous compliance and enforcement program, its outstanding education of the regulated community, and for operating an excellent third-party inspection program. EPA also commends PADEP on its use of a variety of approaches to motivate compliance by tank owners and fuel delivery companies.



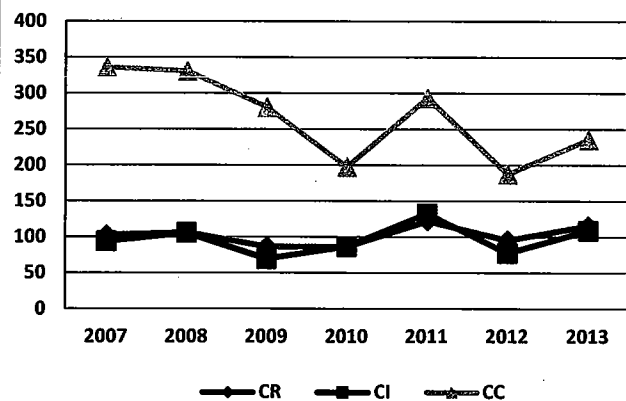
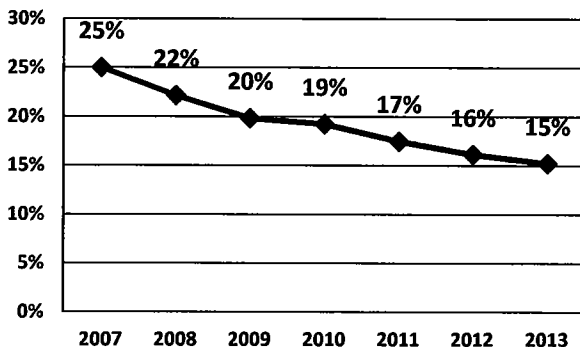
PA Mid-Year Inspection Progress

At mid-year, PADEP conducted a total of 1,608 inspections to achieve an inspection frequency of 2.6 years. A 3-year inspection frequency would have required PADEP to conduct only about 1,384 inspections by mid-year. EPA also commends PADEP for implementing an excellent Operator Training program, noting that almost 82% of all facilities inspected and evaluated were in compliance with Operator Training requirements. EPA congratulates PADEP's compliance staff on exceeding the 3-year inspection requirement,

ensuring that a large percentage of owners are complying with Operator Training requirements, and, in general, maintaining compliance with all provisions of the Energy Policy Act.

In the LUST program, PADEP has completed significantly more than half of the cleanups needed to meet its FY13 grant goal of 350 cleanups completed. PADEP completed 236 cleanups by March 31. The accompanying chart of PADEP's LUST mid-year performance since 2007 illustrates that cleanups continue to outpace both confirmed releases and cleanups initiated, resulting in reductions in the cleanups backlog.

PADEP has a relative backlog of 15.25% at mid-year 2013 versus 16.14% at end-of-year 2012. EPA commends PADEP on its success both in implementing the recommendations of the National Backlog Study and in carrying out its own backlog reduction strategies.

PA Mid-Year LUST Performance**PA Mid-Year Relative Backlog**

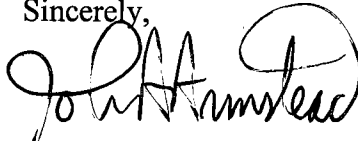
EPA appreciates that PADEP continues to update its QAPP and QMP as needed to successfully implement the LUST program. EPA's Office of Analytical Services and Quality Assurance (OASQA) approved PADEP's QAPP in October 2012 and approved PADEP's QMP in January 2011 for a period of five years for each plan.

To ensure solid financial responsibility and the soundness of State funds, EPA has enhanced and developed a new State Fund Oversight process to obtain information about State funds, their resources and their performance. EPA has reviewed PADEP's Fund Soundness Workbook and is drafting the *Snapshot* that will describe the outcomes of the Fund Soundness Workbook analysis.

EPA appreciates the contributions of PADEP and the Pennsylvania Underground Storage Tank Indemnification Fund (USTIF) in providing EPA with the information needed to ensure solid financial responsibility for cleaning up releases and reducing the State's backlog of LUST sites.

I thank your office for its continued productivity in implementing the UST and LUST programs.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Armstead". The signature is fluid and cursive, with the first name "John" being the most prominent.

John A. Armstead, Director
Land & Chemicals Division

cc: W. Harner, PADEP
N. Wagner, PADEP
C. Swokel, PADEP
K. Shiffer, PADEP

electronic bcc: W. Naylor, 3LC00
R. Rogers, 3LC50
Carol Amend, 3LC70
M. Mackey, 3CG00
Susan Burnell, EPA OUST
Tim Roberts, EPA OUST
Bill Foskett, EPA OUST